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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/630,061 | 08/01/2000 | William Marcial | 17837-00003 | 6254 |

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| EXAMINER |
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CHEUNG, MARY DA ZHI WANG

| ART UNIT | PAPER NUMBER |
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3621

DATE MAILED: 11/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/630,061

Applicant(s)

MARCIAL ET AL.

Examiner

Mary Cheung

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Status of the Claims

1. This action is in response to the amendment filed on September 11, 2003. Claims 1-44 are pending. Claims 1-2, 7, 9, 12, 14-16, 23, 26, 28, 31-33, 40 and 42 have been amended.

Response to Arguments

2. Applicant's arguments with respect to claims 1-44 have been considered but are moot in view of the new ground(s) of rejection.

The applicant argues that May (U. S. Patent 6,317,727) does not teach the limitations of the independent claims, but rather May teaches a credit monitoring system that determines whether two particular counterparties will accept each other for a particular trade. The present application and May maybe emphasize on different topics regarding the credit line system, however, the cited references in May read on the claimed limitations.

In response to the applicant's arguments that May does not teach automatically transmitting domestic and international wired information for cash movement to the bank, this matter is taught by May teaches as transmitting funds through Internet (Fig. 1), and funds can be set up in different currencies (Fig. 5), and the banks in related to the trades can be located in foreign countries (Fig. 7).

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon

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hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1-3, 5-17, 19-34 and 36-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over May, U. S. Patent 6,317,727.

As to claim 1, May teaches a method for tracking bank credit lines and borrowing, using a Credit Line System coupled to a centralized database, said method

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comprising the steps of (column 1 line 63 – column 2 line 9 and column 3 lines 23-31 and column 11 line 35 – column 12 line 34 and Figs. 1-2, 7):

- a) Tracking credit ratings of a bank (column 27 line 55 – column 28 line 12 and Fig. 7);
- b) Requesting the bank to establish a line of credit (column 3 lines 23-31 and column 23 lines 1-56);
- c) Accessing a centralized database to obtain and maintain information regarding the established line of credit (column 11 line 64 – column 12 line 10);
- d) Automatically transmitting domestic and international wire information for cash movement to the bank (column 11 line 64 – column 12 line 34 and column 18 line 3-25);
- e) Monitoring the established line of credit based on the credit ratings of the bank (column 11 lines 64 – column 13 line 5);
- f) Monitoring borrowings against the established line of credit and posting journal entries to a general ledger for financial monitoring, reporting and auditing purposes (column 12 lines 17-34 and column 12 line 61 – column 13 line 5 and column 26 lines 18-42).

May does not explicitly state that the general ledger is a ledger of an entity that has been established line of credit with the bank that includes the monitored borrowings. It would have been obvious to one of ordinary skill in the art to allow the general ledger in May's teaching to include a ledger of an entity that has been

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established line of credit with the bank that includes the monitored borrowings for better tracking and evaluating the line of credit.

As to claim 2, May teaches accessing at least one of current credit line commitments, history, and amount available for borrowing from a financial institution (column 12 line 61 – column 13 line 5); updating at least one of current credit line commitments, history, and amount available for borrowing from the financial institution (column 6 lines 43-51 and column 26 lines 59-62 and column 39 lines 54-63 and column 40 lines 45-59).

As to claim 3, May teaches accessing at least one of real-time current borrowings, repayments, and history of each credit line (column 6 lines 43-51 and column 39 lines 54-63); updating at least one of real-time current borrowings, repayments, and history of each credit line (column 6 lines 43-51 and column 39 lines 54-63 and column 40 lines 45-59).

As to claim 5, May teaches tracking any financial institution's credit rating (column 27 line 55 – column 28 line 12 and Fig. 7).

As to claim 6, May teaches processing information contained in the centralized database (column 12 lines 17-34 and column 12 line 61 – column 13 line 5).

As to claim 7, updating real time borrowing in multi-currency is taught by May as user has option to choose a currency as a default currency to be displayed (column 16 lines 57-65 and Fig. 5).

As to claim 8, May lacking specifically states that borrowing under the credit line. However, May mentions that prior art teaches borrowing under the credit line (column

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23 line 4-14). It would have been obvious to one ordinary skill in the art to allow the method of May to borrow money under the credit line because it would reduce the credit risk for the lender.

As to claim 9, May teaches a method of tracking bank credit lines and borrowing, using a Credit Line System coupled to a centralized database, said method comprising the steps of (column 1 line 63 – column 2 line 9 and column 3 lines 23-31 and column 11 line 35 – column 12 line 34 and Figs. 1-2, 7):

- a) Automatically transmitting domestic and international wire information for cash movement to a bank (column 11 line 64 – column 12 line 34 and column 18 line 3-25);
- b) Processing information utilizing a credit line module, a borrowing module, and a journal entry module (column 11 line 64 – column 13 line 5 and column 26 lines 18-42 and Figs. 2-4);
- c) Monitoring a line of credit established with the bank based on credit ratings of the bank (column 11 lines 64 – column 13 line 5);
- d) Creating journal entries and monitoring borrowings against the line of credit (column 12 lines 17-34 and column 12 line 61 – column 13 line 5 and column 26 lines 18-42);
- e) Posting the journal entries to record transactions on a general ledger for facilitating preparations of financial statements (column 12 lines 17-34 and column 12 line 61 – column 13 line 5 and column 26 lines 18-42).

May does not explicitly state that the journal entries include the monitored borrowings against the line of credit, and the journal entries recorded on the general ledger is a ledger of an entity that establishes line of credit with the bank. It would have been obvious to one of ordinary skill in the art to allow the journal entries in May's teaching to include the monitored borrowings, and the journal entries recorded on the general ledger to include a ledger of an entity that establishes line of credit with the bank for better tracking and evaluating the line of credit.

As to claim 10, May teaches maintaining information within three modules (column 11 line 64 – column 13 line 5 and column 26 lines 18-42 and Fig. 2); generating a variety of management reports (column 12 lines 17-34 and column 12 line 61 – column 13 line 5 and Figs. 5-6B, 8A-10); and printing the variety of management reports (column 12 lines 17-34 and column 12 line 61 – column 13 line 5 and Figs. 5-6B, 8A-10).

As to claim 11, May teaches reviewing information contained in the database periodically; and updating information to the centralized database, and deleting information as required to keep the system current (column 6 lines 48-51 and column 26 line 54 – column 27 line 30 and column 31 lines 52-53 and column 36 lines 19-22).

As to claim 12-14, May teaches generating variety of reports as requested by the user in a pre-determined format (Figs. 5-6B, 8A-10). May does not specifically state that these reports are generated by particular categories as stated in the claims, such as a Credit Line Detail Report by Bank, a Credit Line Detail Report by Expiration, etc. However, it would have been obvious to one of ordinary skill in the art to realize these

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particular reports are specified in the claims are design choice. Since May teaches generating variety of reports as requested by the user in a pre-determined format, it would have been obvious to one of ordinary skill in the art to allow May to generate these particular reports as stated in the claims upon user's requests.

As to claim 29, May teaches establish a communication line with the client system and authenticate the client system (column 12 lines 17-25 and Figs. 1-2).

As to claim 30, May teaches link with a client system by at least one of a wide area network, a local area network, an intranet and the Internet (column 14 lines 51-61).

As to claim 43, May teaches generating a journal entry files in a predetermined format for posting a general ledger (column 12 lines 17-34 and column 12 line 61 – column 13 line 5 and Figs. 5-6B, 8A-10).

As to claim 44, May teaches the data is received from the user via a graphical user interface (Figs. 1-5).

Claims 15-17, 19-28, 31-34 and 36-42 are rejected for the similar reasons as claims 1-3 and 5-14.

6. Claims 4, 18 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over May, U. S. Patent 6,317,727 in view of Hilt et al., U. S. Patent 5,465,206.

As to claim 4, May teaches posting journal entries to a general ledger for financial monitoring as discussed above. May does not specifically teach transmitting borrowing journal entries to the general ledger. Hilt teaches transmitting borrowing journal entries to a general ledger (column 4 lines 49-57 and Figs. 1-4, 7-8). It would have been obvious to one of ordinary skill in the art at the time the invention was made

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to allow May to include the feature of transmitting borrowing journal entries to the general ledger for better monitoring and updating trades.

Claims 18 and 35 are rejected for the similar reason as claim 4.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquire

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mary Cheung whose telephone number is (703)-305-0084. The examiner can normally be reached on Monday – Thursday from 8:00 AM to 5:30 PM. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell, can be reached on (703) 305-9768.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

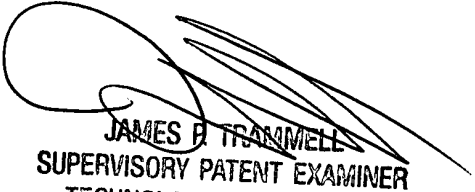
The fax phone number for the organization where this application or proceedings is assigned are as follows:

(703) 872-9306 (Official Communications; including After Final
Communications labeled "BOX AF")

(703) 746-5619 (Draft Communications)

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, 7th Floor Receptionist.

Mary Cheung
Patent Examiner
Art Unit 3621
November 14, 2003


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